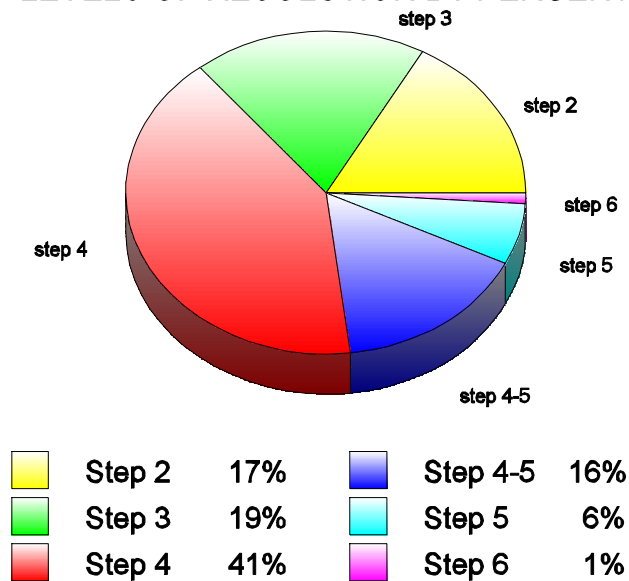


**NUMBER OF GRIEVANCE CASES AND LEVEL AT WHICH EACH
WAS RESOLVED DURING FISCAL YEAR 2000-2001**

LEVELS OF RESOLUTION	GRIEVANCE CASES	NO. OF EMPLOYEES
Step 2 Immediate Supervisor	20	27
Step 3 Agency/Division Director	22	27
Step 4 Department Head	47	67
Mediation Forum (Between Steps 4 & 5)	18	23
Step 5 Evidentiary Hearing	8	8
Step 6 Appellate Review by Board	1	1
TOTALS:	116	153

LEVELS OF RESOLUTION BY PERCENT



**NUMBER OF APPEALS FROM DISCIPLINARY
PENALTIES AND LEVELS OF RESOLUTION
DURING FISCAL YEAR 2000-2001**

LEVEL	DISCIPLINARY* PENALTIES IMPOSED
Step 2	2
Step 3	1
Step 4	13
Mediation Forum (Between Steps 4 & 5)	16
Step 5	9
Step 6	1
TOTAL:	42



***Note:** There are only four disciplinary actions designated by statute: written reprimand, suspension, demotion and dismissal (*Utah Code*, Section 67-19a-302(1)). No other issues qualify as disciplinary actions.

**RESOLUTION ON APPEALS FROM DISCIPLINARY ACTIONS
DURING FISCAL YEAR 2000-2001**

LEVEL	ACTION	NUMBER	DETERMINATION					
			AFFIRMED	MODIFIED	RESCINDED			
Step 2	Reprimand	1	1	0	0			
	Suspension	1	1	0	0			
	Demotion	0	0	0	0			
	Dismissal	0	0	0	0			
Step 3	Reprimand	1	1	0	0			
	Suspension	0	0	0	0			
	Demotion	0	0	0	0			
	Dismissal	0	0	0	0			
Step 4	Reprimand	4	1	2	1			
	Suspension	3	2	0	1			
	Demotion	2	1	1	0			
	Dismissal	4	3	1	0			
Mediation Forum	Reprimand	0	0	0	0			
	Suspension	3	1	2	0			
	Demotion	1	1	0	0			
	Dismissal	12	7	5	0			
Step 5	Reprimand	0	0	0	0			
	Suspension	4	3	1	0			
	Demotion	1	1	0	0			
	Dismissal	4	2	1	1			
Step 6	Reprimand	0	0	0	0			
	Suspension	0	0	0	0			
	Demotion	0	0	0	0			
	Dismissal	1	1	0	0			
TOTAL DISCIPLINARY APPEALS:		42	=	26	+	13	+	3

**FREQUENCY DISTRIBUTION OF GRIEVANCE ISSUES
DURING FISCAL YEAR 2000-2001**

ISSUES	OCCURRENCES
Salary Issues	30
Administrative Salary Increase (4)	
Bonus (2)	
Pay Equity (16)	
Pay Increase (6)	
Reinstatement of Pay Step (1)	
Shift Differential (1)	
Dismissal	21
Promotion Issues	13
Nonselection (10)	
Policies/Procedures (1)	
Selection Process (1)	
Testing Procedures (1)	
Suspension	11
Administrative Actions	6
Classification	6
Written Reprimand	6
Demotion	4
Suppression of Supervisory Positions	4
Corrective Action Plan	3
Involuntary Reassignment	3
Performance Appraisal	3
Transfer	3
Written Warning	3
Administration of Benefits	2
Coworker Complaint	2
Agency Policy Violations	1
Career Mobility Contract	1
Change of Supervisor	1
Hostile Work Environment	1
Leave Bank Denial	1
Letter of Clarification and Concern	1

ISSUES	OCCURRENCES
Letter of Concern	1
Oppression	1
Relief Duty	1
Retaliation	1
Rules Violation	1
Sick Leave Administration	1
State Vehicle Usage	1
Supervisor Problems	1
Workers Comp Reimbursement	1
<u>TOTAL ISSUES GRIEVED:</u>	135

Note: There were 116 grievance cases filed; however, many cases had multiple issues grieved. Thus, the overall number of grievance issues filed (135) exceeds the total number of employees' cases (116) that were filed.

**GRIEVANCE CASES IDENTIFIED BY DEPARTMENTS
AND LEVELS OF RESOLUTION
DURING FISCAL YEAR 2000-2001**

**ADMINISTRATIVE
SERVICES**

Step 2 - 0
3 - 0
4 - 0
4-5 - 3
5 - 1
6 - 0

**ALCOHOLIC BEVERAGE
CONTROL**

Step 2 - 0
3 - 0
4 - 0
4-5 - 1
5 - 1
6 - 0

ATTORNEY GENERAL

Step 2 - 1
3 - 0
4 - 0
4-5 - 2
5 - 0
6 - 0

CORRECTIONS

Step 2 - 8
3 - 10
4 - 19
4-5 - 2
5 - 3
6 - 1

**EDUCATION/
REHABILITATION**

Step 2 - 0
3 - 0
4 - 1
4-5 - 0
5 - 0
6 - 0

**ENVIRONMENTAL
QUALITY**

Step 2 - 0
3 - 0
4 - 1
4-5 - 0
5 - 0
6 - 0

HEALTH

Step 2 - 2
3 - 0
4 - 2
4-5 - 1
5 - 0
6 - 0

HUMAN SERVICES

Step 2 - 5
3 - 8
4 - 10
4-5 - 6
5 - 1
6 - 0

NATURAL RESOURCES

Step 2 - 0
3 - 1
4 - 1
4-5 - 0
5 - 0
6 - 0

NATIONAL GUARD

Step 2 - 0
3 - 0
4 - 1
4-5 - 0
5 - 0
6 - 0

PUBLIC SAFETY

Step 2 - 0
3 - 0
4 - 4
4-5 - 1
5 - 1
6 - 0

TAX COMMISSION

Step 2 - 0
3 - 1
4 - 5
4-5 - 0
5 - 0
6 - 0

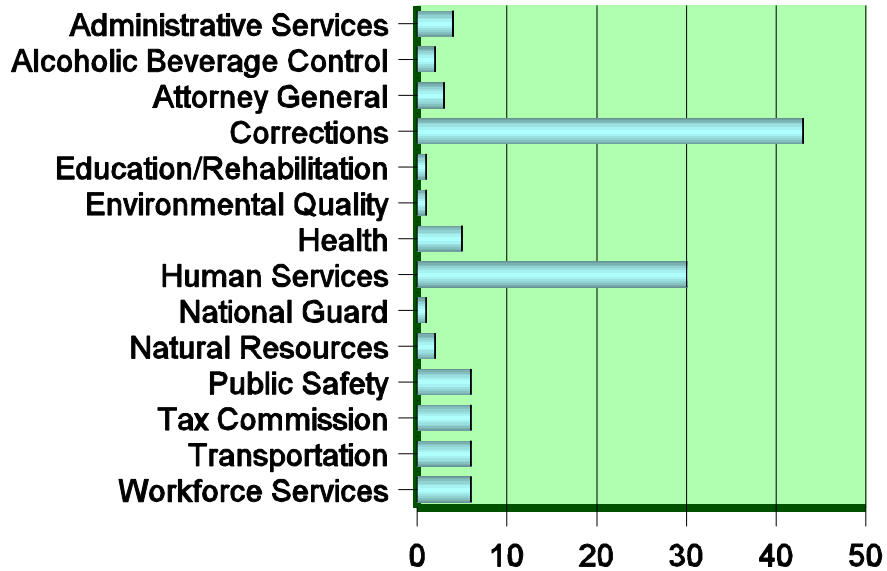
TRANSPORTATION

Step 2 - 2
3 - 0
4 - 1
4-5 - 2
5 - 1
6 - 0

WORKFORCE SERVICES

Step 2 - 2
3 - 2
4 - 2
4-5 - 0
5 - 0
6 - 0

GRIEVANCES BY DEPARTMENT



**GRIEVANCE CASES PER LEVEL RESOLVED
DURING FISCAL YEAR 2000-2001**

STEP 2		
Immediate Supervisor	Cases: 20	Employees: 27
<u>Employees</u>	<u>Issues</u>	<u>Department/Division</u>
A.R.	Salary (A.S.I.)	Corrections/Field Operations
B.J.S.	1. Written Reprimand 2. Administrative Actions	Workforce Services/Contributions
B.B.(<i>et al.</i> 2)	Suppression of Supervisory Positions	Corrections/Institutional Operations
B.D.D. (<i>et. al.</i> 2)	Testing Procedures	Corrections/Institutional Operations
B.K.	Administration of Benefits	Corrections/Institutional Operations
C.J. (<i>et. al.</i> 3)	Salary (Pay Equity)	Corrections/Field Operations
C.V.M.	1. Performance Appraisal 2. Salary (A.S.I.)	Workforce Services/Metro Center
D.D.	Salary (Pay Equity)	Human Services/ Child & Family Services
F.C.D.	Salary (Pay Equity)	Human Services/ Child & Family Services
G.M.	Performance Appraisal	Transportation/Region II
L.S.	Promotion (Nonselection)	Human Services/ Child & Family Services
L.J.	Salary (A.S.I.)	Corrections/Institutional Operations
R.K.	Promotion (Nonselection)	Corrections/Field Operations
R.M.A.	Suspension	Human Services/ Administrative Hearings

S.B.	1. Administrative Actions 2. Coworker Complaint	Health/Family Health Services
S.M.M.	Warning Notice	Transportation/Port of Entry
S.C.E.	Salary (Pay Equity)	Health/Health Care Financing
V.S.	Promotion (Nonselection)	Attorney General Office
W.L.E.	Relief Duty	Corrections/Institutional Operations
W.J.	Salary (Shift Differential)	Human Services/State Hospital

STEP 3

DIVISION/AGENCY DIRECTOR CASES: 22

EMPLOYEES: 27

<u>Employees</u>	<u>Issues</u>	<u>Department/Division</u>
B.J.S.	Corrective Action Plan	Workforce Services/Contributions
B.D.W. (<i>et al.</i> 5)	Suppression of Supervisory Positions	Corrections/Institutional Operations
C.J.L.	Supervisor Problems	Natural Resources/Parks & Recreation
C.J.R.	1. Salary (Pay Increase) 2. Classification	Corrections/Correctional Industries
C.M.	Transfer	Human Services/State Hospital
F.R.	Promotional Policies	Corrections/Institutional Operations
F.S.	Written Reprimand	Human Services/State Hospital
F.G.	Salary (Pay Equity)	Corrections/Institutional Operations
H.K.S.	Workers Compensation Reimbursement	Corrections/Field Operations
H.G.	Promotion (Nonselection)	Human Services/State Hospital
I.M.G.	Promotion (Nonselection)	Tax Commission/Auditing
L.C.M.	Hostile Work Environment	Human Services/Recovery Services

L.L.	Coworker Complaints	Human Services/State Hospital
N.L.	Salary (Pay Equity)	Human Services/Services for People with Disabilities
P.S.	Promotion (Nonselection)	Corrections/Institutional Operations
P.T.	Salary (Pay Increase)	Corrections/Correctional Industries
P.E.F.	1. Salary (Pay Increase) 2. Administrative Actions 3. Classification	Corrections/Institutional Operations
R.B.P.	1. Promotion (Nonselection) 2. Salary (Bonus) 3. Leave Bank Denial	Workforce Services/Northern Region
R.C.J.	1. Salary (Pay Increase) 2. Classification	Corrections/Correctional Industries
R.E.W..	Salary (Pay Equity)	Human Services/State Hospital
S.B.J.	Salary (Pay Equity)	Human Services/Services for People with Disabilities
T.K.C.	Salary (Pay Equity)	Corrections/Institutional Operations

STEP 4		
DEPARTMENT HEAD	CASES: 47	EMPLOYEES: 67
<u>Employees</u>	<u>Issues</u>	<u>Department/Division</u>
A.D. (<i>et al.</i> 7)	Salary (Pay Equity)	Corrections/Institutional Operations
B.S.	Salary (Pay Equity)	Human Services/Services for People with Disabilities
B.D. (<i>et al.</i> 7)	Classification (Job Titles)	Corrections/Institutional Operations
B.J.M.	Classification	Human Services/Developmental Center
B.M.	Classification	Corrections/Institutional Operations
B-D. S.	Demotion	Tax Commission/Motor Vehicles
B.R.	Involuntary Reassignment	Corrections/Institutional Operations

C.K.T.	Letter of Concern	Health/Health Care Improvement
C.K.T.	Letter of Clarification & Concern	Health/Health Care Improvement
C.J.	1. Involuntary Reassignment 2. Transfer	Human Services/Mental Health
D.B.	Dismissal	Human Services/State Hospital
D.J.F.	Salary (Pay Increase)	Corrections/Institutional Operations
D.L.H.	Salary (Pay Equity)	Human Services/State Hospital
D.L.K.	Salary (Pay Equity)	Corrections/Institutional Operations
E.M.	1.Suspension 2. Written Reprimand	Human Services/State Hospital
F.D.E.	Salary (Pay Equity)	Human Services/State Hospital
F.R.J.	Dismissal	Human Services/Developmental Center
G.J.	Written Reprimand	Workforce Services/Mountainland Region
G.N.E. (<i>et al.</i> 3)	Salary (Pay Equity)	Environmental Quality/Water Quality
H.G.	Dismissal	Corrections/Institutional Operations
H.N.	Dismissal	Education/ Schools for the Deaf & Blind
H.T.A.	Career Mobility Contract	Corrections/Field Operations
J.C.A.	Selection Process	Corrections/Institutional Operations
J.C.A.	Promotion (Nonselection)	Corrections/Institutional Operations
J.V.D.	Involuntary Reassignment	Corrections/Institutional Operations
K.E.	Salary (Pay Equity)	Corrections/Field Operations
L.T.L.	Salary (Reinstatement of Pay Step)	Corrections/Institutional Operations

M.B.L.	Performance Appraisal	Natural Resources/Parks & Recreation
M.T.A.	Use of State Vehicle	Public Safety/Highway Patrol
M.M.L.	Administrative Actions	Tax Commission
M.D.M.	Promotion (Nonselection)	Tax Commission/Auditing
M.C.M.	1. Sick Leave Administration 2. Administrative Actions	Public Safety/Criminal Investigations
M.C.M.	Retaliation	Public Safety/Criminal Investigations
N.P.M.	1. Administrative Actions 2. Rules Violation 3. Policy Violations	Corrections/Administrative Services
N.E.	Involuntary Transfer	Human Services/State Hospital
O.P.	1. Suspension 2. Written Reprimand	Human Services/Youth Corrections
P.R.G.	Promotion (Nonselection)	Tax Commission/Auditing
R.D.	1. Corrective Action Plan 2. Suspension	National Guard/Firefighters
R.C.	1. Written Warning 2. Oppression	Workforce Services/Northern Region
R.D.G.	Warning Notice	Transportation/Port of Entry
S.J.A.	Salary (A.S.I.)	Corrections/Field Operations
T.J.W.	1. Demotion 2. Written Reprimand	Tax Commission/Property Tax
T.B.J.	Suppression of Supervisory Positions	Corrections/Institutional Operations
T.B.J.	Salary (Bonus)	Corrections/Institutional Operations
V.K.	Corrective Action Plan	Public Safety/Driver License
V.D.R. (<i>et al.</i> 3)	Suppression of Supervisory Positions	Corrections/Institutional Operations

W.L.

Salary (Pay Equity)

Corrections/Institutional Operations

MEDIATION FORUM

BETWEEN STEPS 4 AND 5 CASES: 18

EMPLOYEES: 23

Employees

Issues

Department/Division

A.S.

Demotion

Alcoholic Beverage Control/Stores

B.B.M.

Dismissal

Human Services/Developmental Center

B.S.K.

Suspension

Attorney General/Child Protection

B.D. (*et. al.* 5)

Salary (Pay Increase)

Corrections/Institutional Operations

B.C.E.

Administration of Benefits

Corrections Institutional Operations

B.J.

Dismissal

Human Services/
Child & Family Services

F.C.

Medical Termination

Administrative Services/Finance

H.L.

Dismissal

Administrative Services/
Information Technology

H.C.A.

Dismissal

Public Safety/Driver License

L.M.A.

Dismissal

Attorney General/Litigation

L.J.

Dismissal

Human Services/Developmental Center

M.M.

Suspension

Transportation/Region II

M.T.

Dismissal

Transportation/Region III

N.D.

Dismissal

Human Services/Developmental Center

O.J.

Dismissal

Human Services/State Hospital

P.D.J.

Suspension

Administrative Services/
Navajo Trust Fund

R.K.M.

Dismissal

Health/Epidemiology

W.R.

Dismissal

Human Services/
Child & Family Services

STEP 5**EVIDENTIARY HEARING CASES: 8****EMPLOYEES: 8**

<u>Employees</u>	<u>Issues</u>	<u>Department/Division</u>
Anderson, Marsalie	Dismissal	Human Services/State Hospital
Bushnell, Lance	Suspension	Public Safety/Highway Patrol
Cieslak, Manfred A.	Dismissal	Corrections/Institutional Operations
Gardner, Don W.	Dismissal	Transportation/Region III
Jenkins, Val D.	Suspension	Corrections/Institutional Operations
Krantz, Larry R.	Dismissal	Administrative Services/ Information Technology
Sutton, Tiffany Lee	Demotion	Alcoholic Beverage Control/Stores
Woodring, Blake G.	Suspension	Corrections/Field Operations

Note: The following two cases were heard at Step 5, but not resolved. They were appealed to Step 6 where they are currently pending.

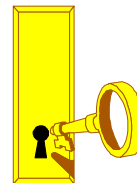
Larson, Charles M.	Salary Equivalency Review	Human Services/Recovery Services
Pace, Ross G.	Suspension	Public Safety/Highway Patrol

STEP 6**APPELLATE REVIEW/BOARD CASES: 1****EMPLOYEES: 1**

<u>Employee</u>	<u>Issue</u>	<u>Department/Division</u>
Glover, Norma Jean	Dismissal	Corrections/Field Operations

Note: The Board remanded the above case to the hearing officer at Step 5 with instructions to reopen the record to consider the issue of consistency of discipline.

Communication Can Be The Key



JURISDICTIONAL HEARINGS AND ADMINISTRATIVE REVIEWS OF THE FILE CONDUCTED DURING FISCAL YEAR 2000-2001

JURISDICTIONAL HEARINGS:

A jurisdictional hearing is a formal adjudication conducted according to the Utah Administrative Procedures Act. These hearings are held at the request of employees, agency management, or at the initiative of the CSRB administrator. Jurisdictional hearings address the four issues of: timeliness, direct harm, standing and eligibility to advance issues and remedies to the evidentiary/step 5 level, according to *Utah Code*, §67-19a-403(2)(b)(i)(Supp. 2000).

EMPLOYEE/CASE NO.	ISSUE	DEPARTMENT/DETERMINATION
-------------------	-------	--------------------------

None



ADMINISTRATIVE REVIEWS OF THE FILE:

An administrative review of the file is an informal adjudication under the Utah Administrative Procedures Act. The contents of the CSRB's case files are reviewed and a written legal decision is issued. The decision is based upon a consideration of all documents contained in the CSRB's file. These reviews are conducted according to *Utah Code*, §67-19a-403(2)(b)(ii)(Supp. 2000).

EMPLOYEE/CASE NO.	ISSUE	DEPARTMENT/DETERMINATION
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Roberts, Kathleen
J. H. 108 (2000)

Timeliness

Health

Due to the death of Grievant's representative's father and his funeral, and the subsequent terminal illness, death, and funeral of her mother, excusable neglect justified representative's late filing of grievance.

EMPLOYEE/CASE NO.	ISSUE	DEPARTMENT/DETERMINATION
Burt, Richard J.H. 109 (2000)	Timeliness	Corrections <i>Grievant's grievance was untimely filed.</i>
Moore, Charles M. Jr. J.H. 110 (2000)	Standing Timeliness	Public Safety <i>Grievant had standing as a career service employee, but untimely filed his grievance.</i>
Jenkins, Val D. J.H. 111 (2000)	Timeliness Direct Harm Classification	Corrections <i>Grievant timely filed his grievance; but he was not directly harmed by an involuntary transfer nor by any salary reduction, nor by any change in his career service status or change in his job title. The CSRB lacks jurisdiction to adjudicate classification issues.</i>
Jenkins, Val D. J.H.112 (2000)	Timeliness Direct Harm Demoted	Corrections <i>Grievant timely filed this grievance. Grievant was involuntarily reassigned from Mechanic to Correctional Officer with no salary decrease. An involuntary reassignment is not justiciable by the CSRB, nor was he directly harmed or demoted.</i>
Boothe, David, <i>et al.</i> J.H. 113 (2000)	Timeliness Direct Harm	Corrections <i>Two Grievants were untimely in filing and lacked direct harm. Six Grievants lacked jurisdictional standing because they were not directly harmed.</i>

**THE EVIDENTIARY/STEP 5 CASES CONDUCTED BY EACH OF
THE CSRB HEARING OFFICERS DURING FISCAL YEAR 2000-2001**

Katherine Fox

Trooper Ross G. Pace v. Utah Department of Public Safety, 18 CSRB/H.O. 262

Sherri R. Guyon

Sgt. Lance Bushnell v. Utah Department of Public Safety, 18 CSRB/H.O. 263

Tiffany Lee Sutton v. Department of Alcoholic Beverage Control, 19 CSRB/H.O. 274

Rex W. Olsen

Charles M. Larson v. Utah Department of Human Services, 17 CSRB/H.O. 245

Blake G. Woodring v. Utah Department of Corrections, 17 CSRB/H.O. 255

J. Francis Valerga

Don W. Gardner v. Utah Department of Transportation, 17 CSRB/H.O. 242

Larry R. Krantz v. Utah Department of Human Services, 18 CSRB/H.O. 265

Val D. Jenkins v. Utah Department of Corrections, 18 CSRB/H.O. 266

K. Allan Zabel

Marsalie Anderson v. Utah Department of Human Services, 18 CSRB/H.O. 264

Manfred A. Cieslak v. Utah Department of Corrections, 18 CSRB/H.O. 270

**JUDICIAL REVIEW BY THE COURTS
DURING FISCAL YEAR 2000-2001**

During FY00-01 there were no CSRB cases pending before the District Courts or the Court of Appeals.

**STATISTICAL SUMMARY OF ACTIVITIES
FOR FISCAL YEAR 2000-2001**

GENERAL:

Grievance cases resolved in the CSRB forum:	116
Career service employees participating in the grievance process:	153
Evidentiary/step 5 hearings conducted:	10
Evidentiary/step 5 hearings decisions issued:	10
Appellate/step 6 hearings conducted/decisions issued:	1
Jurisdictional hearings conducted/decisions issued:	0
Administrative reviews of the file conducted/issued	6
Cases resolved, mediated or otherwise settled following an appeal to Step 5:	8

CSRB BOARD CHAIRPERSON AND BOARD MEMBERS:

Step 6 decisions issued:	1
Orders/Rulings issued:	2

CSRB ADMINISTRATOR:

Prehearing/scheduling conferences conducted:	19
Prehearing conference summaries/orders issued:	17
Other orders issued:	45
Conciliation conferences held:	2

CSRB HEARING OFFICERS/PRESIDING OFFICERS:

Step 5 hearing decisions issued	10
Jurisdictional hearing decisions issued:	0
Prehearing conferences and motion conferences held:	4
Prehearing conference orders issued:	2
Orders Issued by CSRB Hearing Officers	4

THE COURTS:

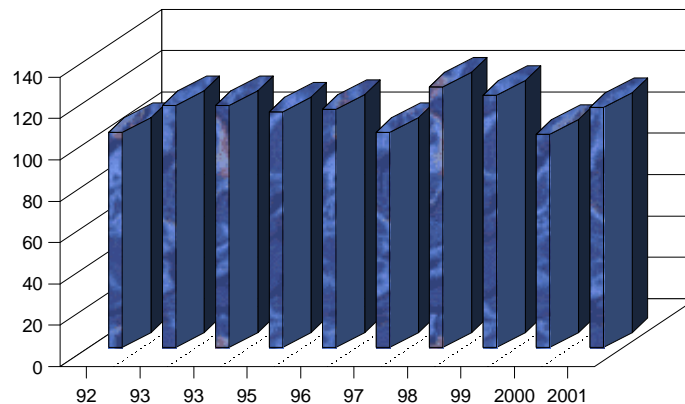
CSRB decisions issued by the Court of Appeals:	0
CSRB cases currently pending before the Court of Appeals:	0
CSRB cases currently pending before the District Court	0

**ANNUAL GRIEVANCE CASES COMPARED
FOR TEN YEAR PERIOD
FISCAL YEARS 1991-1992 THROUGH 2000-2001**

FISCAL YEAR	TOTAL GRIEVANCES	JURISDICTIONAL HEARINGS	STEP 5 HEARINGS	STEP 6 HEARINGS
91-92	104	9	14	5
92-93	117	14	16	4
93-94	94	5	7	6
94-95	114	3	9	2
95-96	115	14	10	2
96-97	104	4	9	2
97-98	126	5	14	2
98-99	122	2	5	1
99-00	103	3	5	1
00-01	116	6	10	1

TOTAL GRIEVANCES

1991-1992 THROUGH 2000-2001



ANNUAL REPORT

FISCAL YEAR 2000-2001

CAREER SERVICE REVIEW BOARD

STATE OF UTAH



BOARD MEMBERS

BLAKE S. ATKIN
Chair

JOAN M. GALLEGOS

FELIX J. McGOWAN

GLORIA E. WHEELER

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STAFF

ROBERT N. WHITE
Administrator

CLAUDIA L. JONES
Legal Secretary

CAREER SERVICE REVIEW BOARD OFFICE

1120 State Office Building, Salt Lake City, Utah 84114-1561 Phone (801) 538-3048 FAX (801) 538-3139

CAREER SERVICE REVIEW BOARD
STATE OF UTAH



ANNUAL REPORT
FISCAL YEAR 2000-2001

